

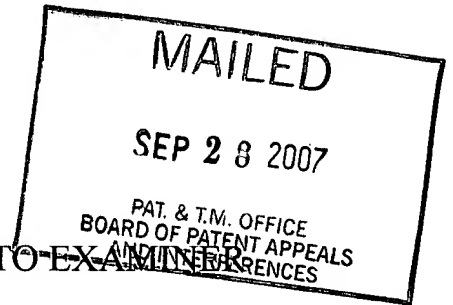
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KEIJI YUZAWA

Application No. 09/812,163

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER



This application was received electronically at the Board of Patent Appeals and Interferences on September 18, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

On December 18, 2006, Appellant filed an amended Appeal Brief. The advisory Action entered February 27, 2007 indicated that the amended Appeal Brief will not be entered because:

the amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).

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However, on April 6, 2007, an examiner's answer was entered to the record. The examiner stated that "This is in response to the appeal brief filed December 18, 2006 appealing from the Office action mailed 2/14/2006".

Clarification of the status of the amended Appeal Brief of December 18, 2006 is required. The Examiner shall notify the appellant, in writing whether or not the amended Appeal Brief filed on December 18, 2006 has been entered.

Accordingly, it is

ORDERED that the application is returned to the examiner:

- 1) for clarification of whether there is or is not to be entry of the amended Appeal Brief filed December 18, 2006; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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